

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA**

**FILED**

**MAR 12 2018**

**BUTTE DIVISION**

Clerk, U.S. District Court  
District Of Montana  
Helena

UNITED STATES OF AMERICA EX  
REL. FRANK M. REMBERT AND  
MICHAEL R. PARADISE,

No. CV 15-80-BU-SEH

Plaintiffs,

vs.

BOZEMAN HEALTH DEACONESS  
HOSPITAL D/B/A BOZEMAN  
HEALTH, and  
DEACONESS-INTERCITY  
IMAGING, LLC D/B/A ADVANCED  
MEDICAL IMAGING,

Defendant.

**ORDER**

On March 12, 2018, Intercity Radiology P.C. moved for admission of Brian J. Kapatkin, Esq., ("Kapatkin") of Foley & Lardner LLP, Washington, D.C., to practice before this Court in this case with Eric Edward Nord, Esq., of Crist, Krogh & Nord, PLLC, Billings, Montana, to act as local counsel.<sup>1</sup> The policy of

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<sup>1</sup> Doc. 236.

this Court precludes the admission of more than two *pro hac vice* lawyers for any one party. Intercity Radiology P.C.'s application for Kapatkin would substitute Kapatkin "in place of William K. McKenna, previously admitted *Pro Hac Vice*."<sup>2</sup>

Kapatkin's application appears to be in compliance with L.R. 83.1(d).

**ORDERED:**

Intercity Radiology P.C.'s Motion to Admit of Brian J. Kapatkin *Pro Hac Vice*<sup>3</sup> is GRANTED, subject to the following conditions:

1. Kapatkin is substituted in place of William J. McKenna, Esq., of Foley & Lardner LLP, Chicago, Illinois.
2. Local counsel must serve as either lead or co-lead counsel;
3. Either Lisa M. Noller, Esq., or Kapatkin, but not both, may act as co-lead counsel;
4. Kapatkin must do his own work. He must do his own writing, sign his own pleadings, motions and briefs, and, if designated co-lead counsel, must appear and participate personally in all proceedings before this Court;
5. Local counsel shall also sign all such pleadings, motions and briefs and other documents served or filed.

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<sup>2</sup> Doc. 236 at 2.

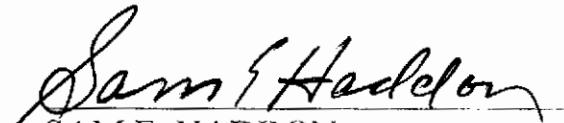
<sup>3</sup> Doc. 236.

Admission is personal to Kapatkin; it is not an admission of Foley & Lardner LLP.

IT IS FURTHER ORDERED:

This Order will be withdrawn unless Kapatkin within 15 days from the date of this Order, files an acknowledgment and acceptance of his admission under the terms set forth above.

DATED this 12<sup>th</sup> day of March, 2018.

  
SAM E. HADDON  
United States District Judge